

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

HENRY POCAN,

Plaintiff,

v.

ALL OF THE DEPARTMENT OF
HEALTH SERVICES (DHS) EMPLOYEES,

Defendants.

ORDER

10-cv-227-bbc

In response to an order entered in this case on April 29, 2010, plaintiff Henry Pocan has submitted a signed complaint and a resident account statement for the six-month period immediately preceding the filing of the complaint. From this statement, I conclude that plaintiff has the means to prepay a portion of the filing fee in the amount of \$22.41. Plaintiff should show a copy of this order to institution officials to make sure they know they should send plaintiff's partial filing fee to this court.

Plaintiff is reminded that paying the amount I have determined he is able to prepay is just the first step in obtaining leave to proceed in forma pauperis under 28 U.S.C. § 1915. After he sends in the payment, the court will review his complaint to decide whether to grant him

leave to proceed on it. Leave will not be granted if the action must be dismissed as malicious or legally “frivolous,” a term that means that the complaint does not allege a claim of any kind. Leave can be denied also if the complaint does not state a claim on which plaintiff could obtain relief under the law or if plaintiff is asking for money from a defendant who is legally protected from having to pay money in his case.

ORDER

IT IS ORDERED that plaintiff qualifies for pauper status on the condition that he prepay \$22.41 of the \$350 filing fee. He is to submit a check or money order made payable to the clerk of court in that amount on or before June 11, 2010. If by June 11, 2010, plaintiff fails to prepay the amount he has been ordered to pay, I will dismiss his case for failure to prosecute.

Entered this 19th day of May, 2010.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge